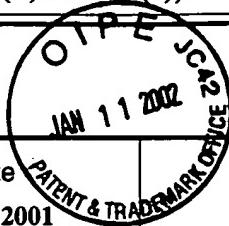


TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
42059-01350

In Re Application Of: PHILLIPS et al



Serial No.
Not Yet Assigned

Filing Date
November 1, 2001

Examiner
Not Yet Assigned

Group Art Unit
Not Yet Assigned

Title: "HYBRID FIBER COAX COMMUNICATION SYSTEM"

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

37 CFR 1.97(c)

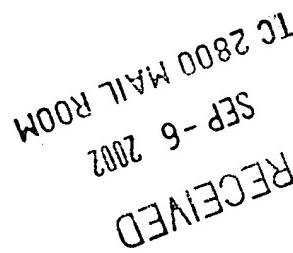
2. The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:
 1. a Final Action under 37 CFR 1.113, or
 2. a Notice of Allowance under 37 CFR 1.311,whichever occurs first.

Also submitted herewith is:

- a certification as specified in 37 CFR 1.97(e);

OR

- the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).



TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
42059-01350

In Re Application P E PHILLIPS et al

**COPY OF PAPERS
ORIGINALLY FILED**

Serial No. Filing Date
Not Yet Assigned November 1, 2001

Examiner
Not Yet Assigned

Group Art Unit
Not Yet Assigned

Title: "HYBRID FIBER COAX COMMUNICATION SYSTEM"

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of _____ is attached.
- The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of _____
 Credit any overpayment.
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Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) on _____ (Date)

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I certify that this document and fee is being deposited on Nov. 28, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Bobbye D. Simon
Signature of Person Mailing Correspondence

Bobbye D. Simon

Typed or Printed Name of Person Mailing Correspondence

*This certificate may only be used if paying by deposit account.

Travis C. Stephenson
Signature

Travis C. Stephenson, Esq.
Registration No. 45,132
3151 South Vaughn Way, Suite 411
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(720)562-5500

Dated: November 28, 2001

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#2
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re the Application of: *PHILLIPS et al.* Group Art Unit: Not Yet Assigned

PHILLIPS et al. *10/004,465* Examiner: Not Yet Assigned

Serial No.: Not Yet Assigned *10/004,465*

INFORMATION DISCLOSURE STATEMENT

Filed: November 1, 2001

Confirmation No.:

Atty. File No.: 42059-1350

For: "HYBRID FIBER COAX
COMMUNICATION SYSTEM"

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 ON <u>November 28, 2001</u> .	
MARCH FISCHMANN & BREYFOGLE LLP	
BY:	<i>Bobbye D. Simon</i>

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR § 1.149, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified application.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

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Date: November 28, 2001

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